

49-05-04.5. Resource Planning.

1. An integrated resource plan must include:
 - a. The electric public utility's forecast of demand for electric generation supply over the planning period with recommended plans for meeting the forecasted demand plus an additional planning reserve margin for ensuring adequate and sufficient reliability of service; and
 - b. Any additional information the commission requests related to how an electric public utility intends to provide sufficient electric generation service for use by retail customers within the state over the planning period.
2. An electric public utility shall include a least cost plan for providing adequate and reliable service to retail customers which is consistent with the provisions of this title and the rules and orders adopted and issued by the commission.
3. The Commission may consider the qualitative benefits and provide value to a baseload generation and load-following generation resource and its proximity to load.
4. The commission may contract or consult with an expert to evaluate qualitative benefits of resources and to review reliability planning. The commission may require an electric public utility to pay a fee necessary for completion of an evaluation into the qualitative benefits of resources and review reliability planning. If the evaluation applies to more than one electric public utility the commission may assess each electric public utility the proportionate share of the fee.

49-05-04.6. Planning Reserve Margin – fines or penalties. The commission may require action, assess a disallowance or fine, or provide a penalty in accordance with Chapter 49-07 if an electric public utility fails to meet the minimum capacity requirement and reserve margin. Unless otherwise set by the commission, the minimum capacity requirement and planning reserve margin is as set by the regional transmission organization to which the electric public utility belongs.

49-05-04.7. Reliable Service Obligation. An electric public utility is responsible for ensuring reliable service. If an electric utility fails to meet its obligation to provide reliable service to customers within the state, the commission may require action, assess disallowances or fine, or provide a penalty on a per customer basis in accordance with chapter 49-07.